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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

RIGHTHAVEN LLC, a Nevada limited-  
liability company,

Plaintiff,

v.

FRED PRUITT, an individual,

Defendant.

Case No.: 2:10-cv-01347

**COMPLAINT AND DEMAND  
FOR JURY TRIAL**

Righthaven LLC (“Righthaven”) complains as follows against Fred Pruitt (“Mr. Pruitt”),  
on information and belief:

**NATURE OF ACTION**

1. This is an action for copyright infringement pursuant to 17 U.S.C. § 501.

**PARTIES**

2. Righthaven is, and has been at all times relevant to this lawsuit, a Nevada limited-  
liability company with its principal place of business in Nevada.





22. Righthaven is the owner of the copyright in and to the Work.

23. The Work was originally published on July 9, 2010.

24. On July 27, 2010, the United States Copyright Office (the “USCO”) granted Righthaven the registration to the Work, copyright registration number TX0007182390 (the “Registration”) and attached hereto as Exhibit 3 is evidence of the Registration from the official USCO database depicting the occurrence of the Registration.

25. On or about July 10, 2010, Mr. Pruitt displayed, and continues to display, the Infringement on the Website.

26. Mr. Pruitt did not seek permission, in any manner, to reproduce, display, or otherwise exploit the Work.

27. Mr. Pruitt was not granted permission, in any manner, to reproduce, display, or otherwise exploit the Work.

**CLAIM FOR RELIEF: COPYRIGHT INFRINGEMENT**

28. Righthaven repeats and realleges the allegations set forth in Paragraphs 1 through 27 above.

29. Righthaven holds the exclusive right to reproduce the Work, pursuant to 17 U.S.C. § 106(1).

30. Righthaven holds the exclusive right to prepare derivative works based upon the Work, pursuant to 17 U.S.C. § 106(2).

31. Righthaven holds the exclusive right to distribute copies of the Work, pursuant to 17 U.S.C. § 106(3).

32. Righthaven holds the exclusive right to publicly display the Work, pursuant to 17 U.S.C. § 106(5).

33. Mr. Pruitt reproduced the Work in derogation of Righthaven’s exclusive rights under 17 U.S.C. § 106(1).

34. Mr. Pruitt created an unauthorized derivative of the Work in derogation of Righthaven’s exclusive rights under 17 U.S.C. § 106(2).



b. All evidence and documentation relating to the names and addresses (whether electronic mail addresses or otherwise) of any person with whom the Defendants have communicated regarding Mr. Pruitt's use of the Work; and

c. All financial evidence and documentation relating to Mr. Pruitt's use of the Work;

3. Direct the current domain name registrar, Namesdirect, and any successor domain name registrar for the Domain to lock the Domain and transfer control of the Domain to Righthaven;

4. Award Righthaven statutory damages for the willful infringement of the Work, pursuant to 17 U.S.C. § 504(c);

5. Award Righthaven costs, disbursements, and attorneys' fees incurred by Righthaven in bringing this action, pursuant to 17 U.S.C. § 505;

6. Award Righthaven pre- and post-judgment interest in accordance with applicable law; and

7. Grant Righthaven such other relief as this Court deems appropriate.

**DEMAND FOR JURY TRIAL**

Righthaven requests a trial by jury pursuant to Fed. R. Civ. P. 38.

Dated this ninth day of August, 2010.

RIGHTHAVEN LLC

By: /s/ J. Charles Coons  
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